REMARKS

As a result of the foregoing amendment, claim 1 has been amended to change the expression "comprising" to "consists essentially of". As a result, it is clear that the method as claimed consists essentially of the specific steps recited in claim 1 as well as those in the dependent claims.

The Examiner asserted in the last office action that the open language of the claim allowed any other steps or materials to be added in any order with respect to the steps of the claimed invention. It is clear that the Mathies, et al. reference requires that the extra step of chromatography or electrophoresis of nucleic acid before its detection. Such an additional step is now clearly not included by virtue of the amendment of the claim language. Consequently, the rejection under 35 USC 102 (e) over the Mathies patent is no longer tenable and should be withdrawn. Furthermore, it is thus clear that this amendment places the application in condition for allowance and favorable reconsideration and prompt notice to that effect are earnestly solicited.

Respectfully submitted,

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February 25, 2003
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MARKED UP CLAIM

In the Claims

1. (amended) A method of detecting nucleic acid fragments in plural samples which [comprises the steps of] consists essentially of:

attaching an electroconductive label to nucleic acid fragments in o e sample and attaching another electroconductive label to nucleic acid fragments in another sample, the former electroconductive label and the latter electroconductive label having oxidation-reduction potentials differing from each other;

preparing a mixture of the samples containing nucleic acid fragments to which electroconductive labels are attached;

bringing the mixture into contact with an electroconductive microarray having plural electrodes onto which probe molecules complementary to the nucleic acid fragments are fixed, so that hybridization between the nucleic acid fragments having electroconductive labels and the probe molecules on the electroconductive microarray can proceed to form hybrid structures on the electrodes;

applying to the electrode an electric potential corresponding to the oxidation-reduction potential of the former electroconductive label and detecting on the electrode an electric current flowing along the hybrid structure;

and comparing the electric current detected in the former detecting procedure and the electric current detected in the latter detecting procedure to obtain a ratio of the content of the nucleic acid fragments in each sample.